For a **California Community College Title 5 unlawful discrimination or harassment investigation** (not a Title IX sexual harassment matter), respondents are entitled to fundamental due process and equitable treatment throughout the investigation.

## Respondent Rights Under Title 5

### 1. Right to Notice of the Allegations

The respondent has the right to be informed of the allegations sufficiently to allow them to respond to the complaint and participate meaningfully in the investigation. Districts investigating unlawful discrimination complaints must communicate the complaint and conduct an investigation where appropriate.

### 2. Right to a Prompt and Impartial Investigation

The respondent has the right to have allegations evaluated through a fair, impartial, and unbiased investigation conducted by trained investigators without a conflict of interest. Districts are required to investigate unlawful discrimination complaints under Title 5 procedures.

### 3. Right to Respond

The respondent must be provided an opportunity to respond to the allegations, provide their version of events, identify witnesses, and present relevant evidence. This is a fundamental component of a fair investigation.

### 4. Right to Present Evidence

The respondent may:

- Submit documents and records.
- Identify witnesses.
- Provide written statements.
- Respond to evidence obtained during the investigation.

### 5. Right to an Advisor or Representative

The respondent generally may be accompanied by:

- A union representative.
- An attorney.
- Another advisor, subject to district procedures.

**6. Right to Be Free From Presumption of Responsibility**

The respondent is entitled to have the matter evaluated based on the evidence collected during the investigation. Findings should be based on the applicable standard of proof and the evidence obtained.

**7. Right to Privacy to the Extent Permitted by Law**

The District should share information only with individuals who have a legitimate educational or business need to know. Complete confidentiality cannot be guaranteed.

**8. Right to Review Relevant Evidence**

Under many district procedures, respondents are provided an opportunity to review and respond to evidence gathered during the investigation before findings are finalized.

**9. Right to Receive Notice of the Outcome**

Title 5 requires districts to communicate their determination to both the complainant and the respondent.

**10. Right to Be Free From Retaliation**

Respondents, like complainants and witnesses, are protected from retaliation for participating in an investigation.